

P W ¹⁹⁴⁰ (1937) Department.

MS SERIES.

G.O. No.

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Dated

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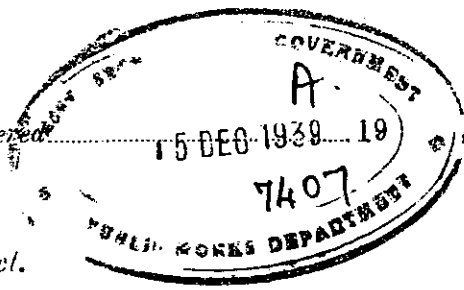
[Despatch Abstract.]

PORTS - Mangalore - Port dues paid on S.S. "Netravati" and M.V. "Sonevati", taken over by the Government of India for defence purposes - Refund refused.

DEPARTMENT.

Received 19

Registered



Subject.

Refund of proportionate port dues - paid on S.S. Netravati
and M.V. "Sonavati" - Request of the Bombay Steam
Navigation Co. Ltd. - Mangalore - Orders requested.

ENCLOSURES.

No. 2 sheets

Spare copies.....

No. 2802 Ge/39-1Station Madras, Dated the 14th December 1939.

From (Name) W.F. RUFFLE, ESQ.,
(Designation) Presidency Port Officer, Madras.,

To The Secretary to the Government of Madras,

Public Works (Marine) Department.
Madras.

Sir,

I have the honour to forward herewith for the
orders of Government a copy of letter No.2116-2, dated
25-11-1939 from the Port Officer, Mangalore with its enclou-
sures on the above subject.

The S.S. "Netravati" and the M.V. "Sonavati" paid
port dues at the port under class 5 on 26-9-39 and 2-10-1939
respectively. They are accordingly exempt from payment of
dues again if and when they enter the same or any other port
in the Western group within a period of 30 days from date of
payment.

These

1/10/39 infra

1/4 30/11/39 the
1/10/39 - 1/11/39
(1/10/39 R No. 32)

2.

These steamers were taken over by the Government before the expiry of the exemption period and the Agents accordingly request refund of proportionate dues in respect of the unexpired period.

There exists no provision in the rules so far for the grant of proportionate refund, nor does the request seem admissible as port dues are not levied on a proportionate basis.

The request of the Bombay Steam Navigation Co. Ltd., appears, however, to be one for gratuity in view of the fact that the said two vessels were taken over by Government for Defence purposes before they could derive the full benefit of free movement for the period for which the dues were paid and this request is accordingly for the consideration and orders of Government.

I have the honour to be,
Sir,
Your most obedient servant,

W. J. Ruffe 14/12
Presidency Port Officer.

W.

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From the Port Officer, Mangalore,
To the Presidency Port Officer, Madras,
No.2116-2, dated 25th November 1939.

Port Dues - refund of - Steamers of the Bombay
Steam Navigation Co., Ltd. taken over by
the Government.

p 5 infra

Letter from the Branch Manager, the Bombay Steam Navigation Co., Ltd., Mangalore, No.105/1301 dated 22-11-1939 requesting representation to the Government in the matter of proportionate refund of Port dues paid at this port on their steamers "Netravati" and M.V."Sonavati" on 26-9-1939 and 2-10-1939 respectively on the plea that the steamers were taken over by the Government before the expiry of the period for which the Port dues paid were in force.

p 4 infra

My opinion in the matter is expressed in this office letter to the Steamship Co., No.2116-1 dated 20-11-1939 in reply to their letter No.105/1260 dated 18-11-1939, copies enclosed.

Letter No.105/1260 dated 18th November 1939 from the Bombay Steam Navigation Co. Ltd., Mangalore to the Port Officer, Mangalore.

Re: Proportionate refund of Port Dues in respect
of our steamer's taken up by Government.

--

We have the honour to enclose a statement showing the names of our steamers which called here during this season, the dates on which Port dues were paid at Mangalore and the periods for which Port Dues in respect of same were valid. It will be seen that in these cases the Port Dues had still sometime to run if the steamers had not been taken up by Government. In the circumstances we request you please to refund us Rs.181-12-4 being the amount of proportionate Port Dues in respect of the unexpired period as per particulars shown in the attached statement..

Statement showing steamers that called here, dates on which Port Dues paid etc., during season 1939-40.

Amount of Port Dues Paid.	Paid on.	Duration of 30 days ranging from.	Last date on which steamer left Coon- dapur.	No. of days for which propor- tionate Dues re- fundable.	Proportion- ate amount of Port Dues refundable	
-----	-----	-----	-----	-----	-----	
S.S. "Netravati" 23-9-39 & 13-10-1939.	Rs.120-2-3	26-9-39	23-9-39 to 22-10-1939.	14-10-39	8 days	Rs. 32--0-7
M.V. "Sonavati"	Rs.166-6-0	2-10-39	1-10-39 to 30-10-39.	3-10-39	27 days	Rs.149-11-9 ----- Rs.181 ¹ 12-4

Mangalore,
18-11-39.

Sd.
Branch Manager.

Copy of letter from the Port Officer, Mangalore to Messrs. Bombay Steam Navigation Co. Ltd. Mangalore No.2116-1, dated 20-11-1939.

Proportionate refund of Port Dues, ~~Schedule I, Part II~~ in respect of Steamers taken up by Government - Your letter No.105/1260, dated 18-11-1939.

As per the schedule of Port Dues, Schedule I, Part II of the Indian Ports Act XV of 1908 the payment of the due at the first port called at in the group will exempt the steamer for a period of thirty days from liability to pay the due again at that or any other port in the group. Port dues are not levied on a proportionate basis. I regret no refund is permissible.

Vide remarks against (f), in col. 4 on p 43 of the Indian Ports Act (Book No 37)

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3.

Copy of letter No.105/1301, dated 22nd November 1939 from the Bombay Steam Navigation Co., Ltd., Mangalore to the Port Officer, Mangalore.

Re:- Proportionate refund of Port Dues in respect of our steamers taken over by Government.

p4antw

We are obliged for your No.2116-1 of 20th instant and note as per Schedule I, Part II of the India Ports Act XV of 1908 payment of Dues at the first port called at in the group exempt the steamer for a period of 30 days from liability to pay Dues again at that or any other port in the group. Under normal conditions our vessels plying on this coast would come under this Ruling and we quite realize that Port Dues are not levied on a proportionate basis. What we do claim however is refund of proportionate Dues in respect of the unexpired period due to our steamers having been taken up by Government for defence purposes. We shall be obliged if you will kindly represent this matter to Government and endeavour to obtain a refund for us if possible.

22/5/11

DRAFT FOR APPROVAL.

O.F. 16.

P.W. (Marv.).

Date. Initials.

When received for fair copying --		
When copied ...		
When examined...		
When signed ...		
When despatched.		

SUBJECT:--

Port- Mangalore - Port dues paid on S.S. "Retravati" and M.V. "Sonavati", taken over by the G. S. for defence purposes - Refund refused.

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ ALSO:--

C. No. 7407A/39 From the P. P. O., No. 280266/3 dated 14-12-1939. C.F.

" " _____ " _____ 19____

" " _____ " _____ 19____

Order Ms. No. 5, dated 3-1-40 1939
Resolution Rout.

The Provincial Govt are unable to sanction the refund as they were not responsible for the taking over of the vessels by the Central Govt. before the ^{expiry of the} period of thirty days, for which port dues were paid. The ~~proper~~ proper course is for ~~it is however~~ ^{it is} open to the Shipping Company to claim the compensation from the Central Govt.

To

The P. P. O.

Handwritten initials and date:
M
4/12/40

Handwritten date:
21/12

Handwritten initials:
M

Handwritten date:
21-12

Handwritten signature and date:
12/12

Note. As the vessels were taken over by the G. S. for defence purposes the compensation will have to be paid

by that Govt. and there is no need
for the Madras Minor Ports Fund
to suffer any loss in this respect.

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21.12.

M
21.12

W
21/12

for
21/12

22/5/1

DRAFT FOR APPROVAL.

O.F. 16.

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READ ALSO:--

C. No. 7407A/3, From the P. P. O., No. 28028/3, dated 14-12-1939. C.F

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Order Ms. No. 5, dated 3-1-40 1939
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To
The P. P. O. ✓
Dated
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4/12/40

21/12
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21-12
H
12/12
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